

1 HONORABLE RONALD B. LEIGHTON
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13 UNITED STATES DISTRICT COURT
14 WESTERN DISTRICT OF WASHINGTON
15 AT TACOMA
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18 LEO WARPALA,

19 Plaintiff,

20 v.

21 LONGVIEW FIBRE COMPANY,

22 Defendant.

23 Case No. C05-5337 RBL
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25 ORDER
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16 THIS MATTER comes on before the above-entitled Court upon Defendant's Motion for Summary
17 Judgment [Dkt. #23].

18 Having considered the entirety of the records and file herein, the Court rules as follows:

19 Defendant filed a Motion for Summary Judgment and properly noted it for August 18, 2006. Pursuant
20 to Rule 7(d)(3), Local Rules W.D. Wash., plaintiff's opposition papers were due to be filed and served no later
21 than August 14, 2006. To date, no opposition papers have been filed. Under Rule 7(b)(2), Local Rules W.D.
22 Wash., plaintiff's failure to file opposition papers "may be considered by the court as an admission that the
23 motion has merit[]" and may result in the granting of the motion.

24 Plaintiff is proceeding pro se. Therefore, the Court will advise plaintiff of his obligations under the
25 Local Rules to file an opposition brief and any affidavits or declarations he may produce in order to meet
26 defendant's motion. This will be the only advice plaintiff will receive from this Court. Plaintiff shall file and
27 serve his opposition papers on or before September 18, 2006 and the defendant's motion will be re-noted for
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1 September 22, 2006. **The plaintiff is warned that the failure to file and serve his opposition papers on**
2 **or before September 18, 2006 will result in the granting of defendant's motion and the dismissal of**
3 **plaintiff's complaint.**

4 **IT IS SO ORDERED.**

5 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing
6 pro se.

7 Dated this 7th day of September, 2006.

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9 Ronald B. Leighton
10 RONALD B. LEIGHTON
11 UNITED STATES DISTRICT JUDGE

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